

REMARKS

The Examiner's attention to the present Application is greatly appreciated.

In the Office Action of December 29, 2005, the Examiner rejected Claims 4 - 6 under 35 U.S.C. § 103. In order to overcome this rejection, Applicant has amended Claim 4, the only independent claim, to clarify that the processing of the contaminated water produces a first effluent of clean water having increased sodium compared to the contaminated water. Support for this amendment can be found in Figs. 2 and 5, and page 17, line 13 - page 18, line 4 and page 21, lines 7 - 17. Claim 4 has also been amended to delete the limitation that the clean water has a salt content lower than the contaminated water.

Reexamination, reconsideration and allowance of the claims is respectfully requested.

Rejection Under 35 U.S.C. § 103

In the recent Office Action, the Examiner rejected Claims 4 - 6 under 35 U.S.C. § 103 as being unpatentable over *McManus* in view of *Thorborg* and further in view of *Mukhopadhyay*. Applicant respectfully disputes that there is any motivation to combine these references in the manner *previously* claimed by Applicant. Notwithstanding, Applicant has now amended the only independent claim in the manner that even if there were suggestions to combine these references, the combination would not create Applicant's invention.

More particularly, Applicant's invention is directed to a novel method of processing and using unwanted waste water. As reflected in the Figures, waste water is collected and processed by various water treatment processes. Depending on the characteristics of the contaminated water and water processing characteristics, first and second effluents having various salt properties are created. Depending on these salt properties, the first effluent of "clean water" and second effluent of "waste water" are put to different uses. As claimed, the contaminated water is processed, to produce a first effluent of clean water and a second effluent of waste water. Each of these effluences have distinct claimed properties. The produced clean water has a salt content too high for potable use and an increased sodium content compared to the waste water. Meanwhile, the second effluent of waste water has at least 0.15% or more by weight of salts. As claimed, the clean water produced by such a water processing system is used within a cooling tower.

McManus discloses a method of using an aqueous effluent comprising collecting contaminated waste water and using such water within a cooling tower to dissipate heat.

Thorborg describes a process for treating waste water. As argued in the Examiner's recent report, the *Thorborg* produces a first effluent having a salt content lower than the contaminated water and a second effluent having 0.15% or more by weight of salts. Stated in Column 2 of *Thorborg*, the first effluent has passed through an alkalization unit so as to bicarbonate impurities such as calcium bicarbonate, magnesium bicarbonate, etc. Meanwhile,

the second effluent comprises “pure water and carbon dioxide”. There is no suggestion that either of these effluents have an increased sodium content compared to the pre-treated water or that the post-treated effluents contain more than 0.15% by weight of salts.

Finally, Mukhopadhyay discloses a method of analyzing clean water to determine if its sodium content is too high for potable use.

Plainly, even the combination of these three references would not produce Applicant’s invention. None of these references suggest processing water to create a clean water effluent having increased sodium or processing water for creating a clean water effluent still having a salt content too high for potable use. Furthermore, these references do not describe creating an effluent of waste water having 0.15% or more by weight of salt. Since these are limitations found in the only independent Claim 4, and incorporated by reference in dependent Claims 5 and 6, each of the claims are believed allowable.

CONCLUSION

Claims 4 - 6 are believed to be in condition for allowance and notice thereof is respectfully solicited. If there are any remaining issues that need to be resolved, it is respectfully requested that a telephone call be placed to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David G. Duckworth", with a long, sweeping horizontal line extending to the right.

David G. Duckworth
Registration No. 39,516
Attorney for Applicant
Telephone: (949) 724-1255